

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CECIL BROOKINS,)
Petitioner,)
)
)
v.) Civil Action No. 09-1339
)
RANDALL BRITTON, et al.,)
Respondents.)

O R D E R

AND NOW, this 2nd day of April 2010, after a petition for a writ of habeas corpus was filed by the petitioner, Cecil Brookins, and after a Report and Recommendation of the United States Magistrate Judge was issued, and the Court granted the petitioner's motion to extend the deadline for filing written objections to April 21, 2010, and no objections having been filed, and upon independent review of the petition and the record, and after consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Cecil Brookins for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied, because reasonable jurists could not conclude that a basis for appeal exists.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.



United States District Judge